

ENCLOSURE 1
CAA INFORMATION REQUEST

NuStar Terminal

A. INSTRUCTIONS

1. Provide a separate narrative response to each question and subpart of a question in this Information Request. Mark each answer with the number of the question (and subpart, if applicable) to which it corresponds.
2. For each question, provide a copy of each document relied on or referred to in the preparation of the response or that contains information responsive to the question.
3. Indicate on each document produced in response to this Information Request, or in another reasonable manner, the number of the question to which it corresponds.
4. If requested information or documents are not known or are not available to you at the time of your response to this Information Request, but later become known or available to you, you must supplement your response to EPA. Moreover, if you find at any time after submission of your response that any portion is or becomes false, incomplete, or misrepresents the facts, you must provide EPA with a corrected response as soon as possible.
5. Provide the name, title, and business contact information for each person who prepared or was consulted in the preparation of your response. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained in this Information Request, or who may be able to provide additional responsive documents, provide the name, title and business contact information for each such person and the additional information or documents that they may have.
6. If you believe a question is not applicable to the Facility, explain the reason for that belief.
7. The information requested must be provided whether or not you regard part or all of it as a trade secret or confidential business information. You may assert a confidentiality claim covering part or all of the information submitted, pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 7414 and 40 C.F.R. Part 2, by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend or other suitable form of notice employing language such as “trade secret,” “proprietary,” “company confidential.” Allegedly confidential portions of otherwise non-confidential documents should be clearly identified and may be submitted separately to facilitate identification and handling by EPA.
8. If you claim all or part of your response as a trade secret, proprietary or company confidential, please also return with your response a complete substantiation of your claim. Enclosure 3 contains the information you must provide in order to substantiate your claim. If you require additional time to substantiate your confidentiality claim, contact the individuals listed in the cover letter.

Information covered by such a claim will be disclosed by EPA only to the extent and by the procedures set forth in statutes and 40 C.F.R. Part 2, Subpart B. See 40 C.F.R. § 2.301 for additional rules governing certain information obtained under the CAA. Note that certain categories of information, including “emission data,” are not entitled to confidential treatment. Unless you make a claim at the time you submit the information in the manner described in 40 C.F.R. § 2.203(b), it may be made available to the public by EPA without further notice to you. See also 41 Fed. Reg. 36902 (Sept. 1, 1976).

B. DEFINITIONS

All terms used in this Information Request have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. § 7401 *et seq.*, or other CAA implementing regulations. Where reference is made to the EPA regulatory provisions, you should also apply the applicable federally approved state provisions when appropriate. Additional definitional clarification is specified below.

1. The terms “you” or “Respondent” mean Shore Terminals LLC, and its subsidiaries, officers, directors, managers, partners, employees, contractors and agents, as applicable.
2. “Facility” means the NuStar Terminal owned or operated by Respondent located at 9420 Northwest St. Helens Road in Portland, Oregon 97231.
3. “Document” means any object that records, stores or presents information and includes, without limitation, email, writings, memoranda, contracts, agreements, records or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, storage device or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. Include all attachments to or enclosures with any responsive document.

C. INFORMATION REQUEST

Provide the following information for the Facility. Except as specifically provided in Part C of Enclosure 1 of this Information Request, provide the following information regarding the Facility within **forty-five (45) days** from the receipt of this Information Request. Unless otherwise stated, this information shall be submitted in Microsoft Excel, Microsoft Word or optical character recognition (OCR) Adobe Acrobat PDF format depending on the information request.

1. Shore Terminals shall conduct an engineering investigation into the integrity and adequacy of the design and installation of the internal floating roof (IFR) for Tanks 5209, 8006, 8308, 10026 and 10027, which all store gasoline or did store gasoline during the Inspection. The investigations for Tanks 5209, 8006, 8308, 10026 and 10027 shall include, but are not limited to, the following:
 - a. Shore Terminals shall provide EPA with a description of any inspections and/or maintenance conducted on each tank’s IFR on or after June 22, 2022 (the date of EPA’s inspection) through Shore Terminals’ receipt of this Information Request, or already scheduled to be conducted thereafter. Any information shall be provided no later than **fifteen (15) days** from the receipt of this Information Request. If Shore Terminals believes this information meets any part of the requirements of (1)(b) and/or (d) of this Information Request, simultaneously provide a justification and supporting information along with any data.
 - b. Shore Terminals shall conduct a visual inspection of each IFR and its primary and secondary seals to the extent they are visible/accessible through manway and roof hatches on the fixed roof of each tank (“IFR Inspection”). The IFR Inspection shall be conducted when the tank is filled to such a level that the entire IFR roof is visible. The IFR Inspection shall include, but not be limited to, identifying any instances of the internal floating roof not resting on the surface of the liquid inside the storage vessel,

any liquid that has accumulated on the roof, any seal that has become detached, any holes or tears in a seal and any roof component that is highly visibly open, damaged or leaking.

- c. Shore Terminals shall submit a report detailing each IFR Inspection date, tank fill level during each IFR Inspection, IFR Inspection start and stop times and findings from each IFR Inspection. The findings shall include the results of the IFR Inspection as described in (1)(b) above. Provide photos, if possible, of any leaking roof components identified.
- d. Shore Terminals shall measure the Lower Explosive Limit (LEL) in the headspace between the IFR and the fixed roof for Tanks 5209, 8006, 8308, 10026 and 10027, as outlined below:
 - i. The tests shall be conducted by lowering an LEL meter with data logging capability within three feet of the top of each internal floating roof.
 - ii. The LEL meter shall be calibrated with methane prior to use and the date and time shall be set to local time.
 - iii. LEL measurements shall be conducted when the wind speed is less than 5 miles per hour.
 - iv. Data logging of the LEL measurements shall be in 15-second intervals and measurements shall be done for 30 minutes.
 - v. The IFR shall not be in motion and the product temperature shall be recorded during sampling.
- e. Shore Terminals shall provide EPA with at least **ten (10) days** advanced notice of the commencement of the LEL testing. With the advanced notice of testing, Shore Terminals shall provide a summary description of the procedures to be used for LEL meter calibration, LEL measurement procedures, data collection and processing procedures, personnel involved and LEL meter make and model to be used, including the gasoline LEL correction factors specific to the LEL meter to be used. If wind conditions are not suitable on the planned test date, Shore Terminals shall confer with EPA, as soon as practicable, on a revised test date based on the weather forecast.
- f. Shore Terminals shall submit a report documenting the procedures, conditions, and results of the LEL testing, including dates and times of the testing, tank fill level during testing, weather conditions during testing (such as wind speed and direction, ambient temperature, precipitation conditions), LEL meter calibration procedures used, LEL meter location during testing, all supporting data (including the original LEL data log in Excel or its native electronic format) and any other measurements and required analysis.